



Entered on Docket  
June 18, 2010

A handwritten signature in dark ink, appearing to read "Linda B. Riegler".

Hon. Linda B. Riegler  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

Robert M. Charles, Jr. (NV 6593)  
John Hinderaker (AZ 018024)  
Marvin Ruth (NV 10979)  
3993 Howard Hughes Parkway, Ste. 600  
Las Vegas, Nevada 89169-5996  
Telephone (702) 949-8320  
Facsimile (702) 949-8321  
Email: rcharles@lrlaw.com  
jhinderaker@lrlaw.com  
mruth@lrlaw.com

*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Case No. BK-S-06-10725-LBR

CHAPTER 11

Jointly Administered Under  
Case No. BK-S-06-10725 LBR

**Order Sustaining Third Omnibus  
Objection Of USACM Liquidating  
Trust To Proofs Of Claim Based In  
Part Upon Investment In The  
Gramercy Court Loan**

Hearing Date: June 15, 2010  
Hearing Time: 9:30 a.m.

The Court having considered the "Third Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Part Upon Investment In The Gramercy Court Loan" [DE 8054] (the "Objection"); the Court having heard the Objection on June 15, 2010; appropriate notice of the Objection having been given; no response to the Objection having been filed; and good cause appearing:

1           **IT IS ORDERED** that:

2           1.     The Objection [DE 8054] is sustained;

3           2.     The claims listed on **Exhibit A** attached are disallowed to the extent those  
4     claims are based upon an investment in the Gramercy Court Loan for the reasons set forth  
5     in the objection.

6           3.     The claims listed on **Exhibit A** are not affected by this order to the extent  
7     they are based upon an investment in another loan.

8     PREPARED AND RESPECTFULLY SUBMITTED BY:

9     **LEWIS AND ROCA LLP**

10  
11     By/s/ Robert M. Charles, Jr. (# 6593)

12             Robert M. Charles, Jr.

              John Hinderaker (*pro hac vice*)

3993 Howard Hughes Parkway, Ste. 600

Las Vegas, Nevada 89169-5996

Telephone: (702) 949-8320

Facsimile: (702) 949-8321

15     *Attorneys for USACM Liquidating Trust*  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

## CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of approval under LR 9021.
- ☐ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document.]
- ☒ This is a chapter 11 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below.
- ☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objections.

U.S. Trustee:	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party:	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:  
LEWIS AND ROCA LLP

By: /s/ Robert M. Charles, Jr.  
Attorneys for USACM Liquidating Trust

# # #

## Exhibit A

Claim	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment in the Governmental Pension Plan
10725-01206	Evie Dean 2000 Trust Dtd 12/12/00	C/O Evie Dean Trustee 29 Pheasant Ridge Dr Henderson, NV 89014-2110	65,336.72	Unknown
10728-00060	Evo E & Billie D Zepponi Family Trust Agt Dt 2/9/9	C/O Evo & Billie Zepponi Ttee 14385 W Morning Star Surprise, AZ 85374-3816	3,691.66	933.33
10725-02347	Farrah M Hobbs Revocable Trust Dtd 3/12/04	C/O Farrah H Hobbs Trustee 3010 Parchment Ct Las Vegas, NV 89117-2557	50,000.00	Unknown
10725-02031	Freda Newman Trust Dtd 7/26/84	Freda Newman Trustee C/O Daniel Newman 125 Elysian Dr Sedona, AZ 86336	233,504.72	100,000.00
10725-01231	Fuller, David & Monica	955 Mullen Henderson, NV 89044	215,404.36	50,000.00
10725-02277	Gale Gladstone-Katz Revocable Trust	Gale Gladstone-Katz Trustee 4071 Bones Rd Sebastopol, CA 95472-9755  Gladstone-Katz, Gale Trustee Gale Gladstone-Katz Revocable Trust 1320 North St #29 Santa Rosa, CA 95404	1,354,118.10	100,000.00
10725-01914	Gilbert Manuel Living Trust Dtd 1/3/92	C/O Gilbert Manuel Ttee 4617 Constitution Ave Ne Albuquerque, NM 87110	486,748.60	50,000.00
10725-00220	Glen & Carrie Donahue Living Trust Dtd 4/30/94	Glenn M & Carrie Donahue Ttee 39 Bridgeport Rd Newport Beach, CA 92657-1015	1,908.08	722.92
10725-02162	Goodwin, Michael John	555 Yellow Pine Rd Reno, NV 89511-3714	1,011,076.40	50,000.00
10725-01963	Harouff Charitable Remainder Trust Dtd 9/5/96	Dwight W & Mary Ann Harouff Ttees 5680 Ruffian Rd Las Vegas, NV 89149	568,181.96	100,000.00